

RESOLUTION APPROVING ZONING APPLICATION ZV/PDD/R/TDR-2011-02634  
(CONTROL NO. 1981-00013)

a Requested Use  
APPLICATION OF The Cottages of the Palm Beaches  
BY Urban Design Kilday Studios, AGENT  
(Lake Worth Road CLF)

WHEREAS, the Board of County Commissioners, as the governing body of Palm Beach County, Florida, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, is authorized and empowered to consider applications relating to zoning; and

WHEREAS, the notice and public hearing requirements, as provided for in Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067 as amended), have been satisfied; and

WHEREAS, Zoning Application ZV/PDD/R/TDR-2011-02634 was presented to the Board of County Commissioners at a public hearing conducted on April 26, 2012; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the applicant and other interested parties, the recommendations of the various county review agencies, and the recommendation of the Zoning Commission; and

WHEREAS, the, Board of County Commissioners pursuant to Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067 as amended) is authorized and empowered to consider, approve, approve with conditions or deny the request; and

WHEREAS, this approval is subject to Article 2.E (Monitoring), of the Palm Beach County Unified Land Development Code and other provisions requiring that development commence in a timely manner; and

WHEREAS, THE BOARD OF COUNTY COMMISSIONERS hereby incorporates by reference the Findings of Fact in the staff report addressing the standards contained in Article 2.B.2.B for a a Requested Use.

WHEREAS, Article 2.A.1.K.3.b (Action by BCC) of the Palm Beach County Unified Land Development Code requires that the action of the Board of County Commissioners be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Zoning Application ZV/PDD/R/TDR-2011-02634, the petition of The Cottages of the Palm Beaches, by Urban Design Kilday Studios, agent, for a Requested Use to allow a Type III Congregate Living Facility in the MUPD Zoning District, on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located as shown on a vicinity sketch as indicated in EXHIBIT B, attached hereto and made a part hereof, was approved on April 26, 2012, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Abrams moved for the approval of the Resolution.

The motion was seconded by Commissioner Taylor and, upon being put to a vote, the vote was as follows:

Commissioner Shelley Vana, Chair

- Aye

Commissioner Steven L. Abrams, Vice Chairman	-	Aye
Commissioner Karen T. Marcus	-	Aye
Commissioner Paulette Burdick	-	Aye
Commissioner Burt Aaronson	-	Absent
Commissioner Jess R. Santamaria	-	Aye
Commissioner Priscilla A. Taylor	-	Aye

The Chairperson thereupon declared that the resolution was duly passed and adopted on April 26, 2012.

Filed with the Clerk of the Board of County Commissioners on May 4th, 2012.

This resolution is effective when filed with the Clerk of the Board of County Commissioners.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

BY:



COUNTY ATTORNEY

BY:

SHARON R. BOCK,  
CLERK & COMPTROLLER




DEPUTY CLERK

EXHIBIT A

LEGAL DESCRIPTION

Lake Worth Road CLF

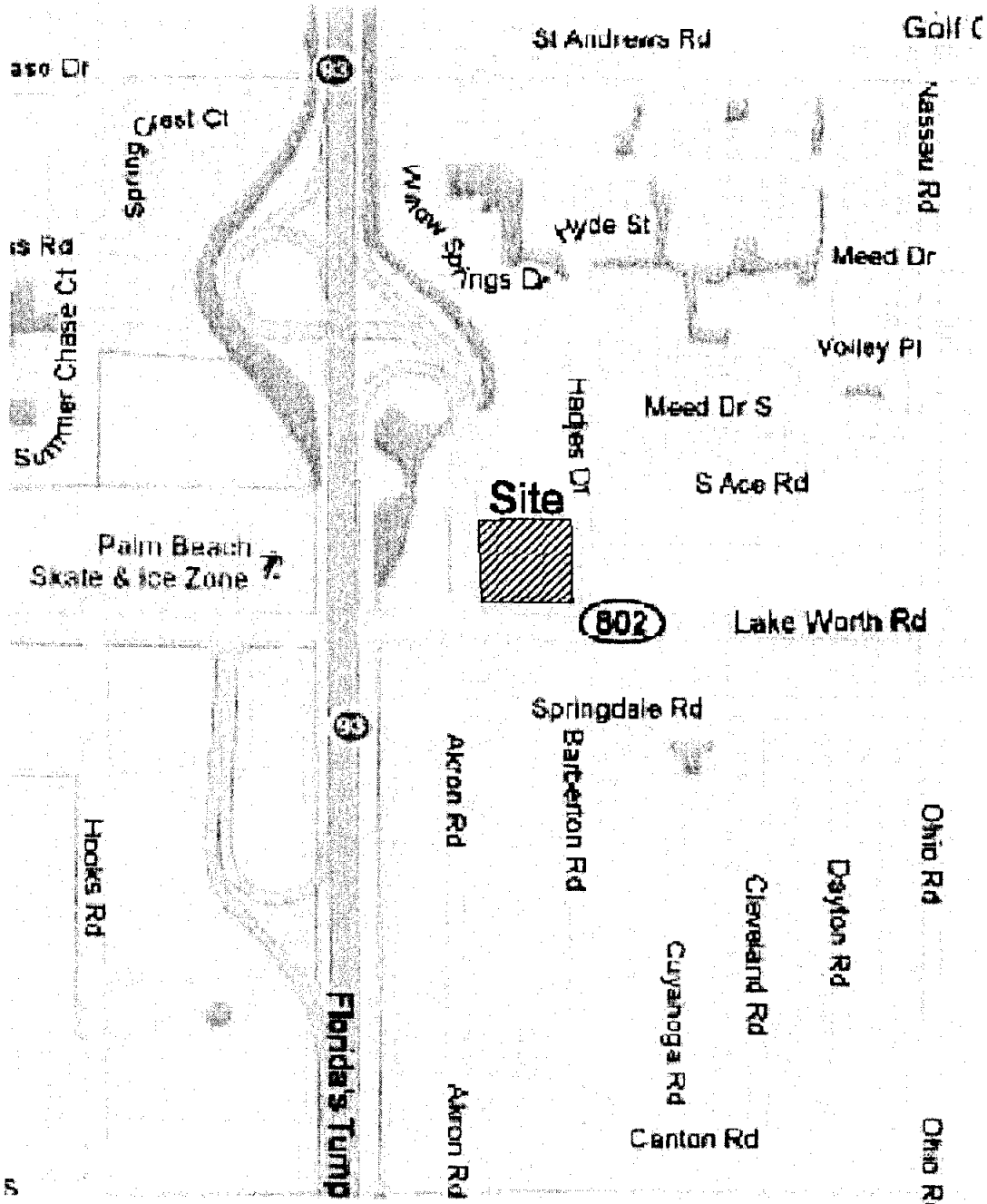
LEGAL DESCRIPTION

(Official Record Book 23842, Page 1919)

Commencing at the intersection of the North Right OF Way line of State Road no. S-802 (Lake Worth Road) and the East line of Tract 115, Block 23, PALM BEACH FARMS COMPANY, Plat No. 3, as recorded in Plat Book 2, Pages 45 thru 54, Palm Beach County, Florida; said point being 56.70 feet North of the South East corner of Tract 115, Block 23, the Point of Beginning; thence N 00°38'23" E (assumed bearing) 603.30 feet to the North East corner of Tract 115, thence N 89°23'46" W (assumed bearing), a distance of 330.0 feet to the North West corner of Tract 115 and the North East corner of Tract 114, Block 23, continue West along the same line a distance of 160.57 feet to a point which is 490.57 feet west of the North East corner of Tract 115, Block 23; thence S 00°36'16" W a distance of 553.09 feet to a point 100 feet North of the center line of Lake Worth Road; thence S 89°19'34" E a distance of 160.35 feet to a point; thence S 00°44'46" W a distance of 49.85 feet to a point which is a point on the East line of Tract 114, Block 23, and 50 feet North of the center line of State Road S-802; thence S 89°22'07" E a distance of 329.97 feet to the point of beginning.

Less and Except the East 40 Feet as dedicated to Palm Beach County in Plat No.1 Meed Racquet Club P.U.D., as recorded in Plat Book 31, Pages 15-19, of the Public Records of Palm Beach County, Florida.

EXHIBIT B  
VICINITY SKETCH



## EXHIBIT C

### CONDITIONS OF APPROVAL

#### SIGNS

1. Ground mounted freestanding signs shall be limited as follows:
  - a. located at the intersection of Lake Worth Road and Hadjes Drive;
  - b. maximum number of signs - one (1);
  - c. maximum sign height, measured from finished grade to highest point eight (8) feet;
  - d. maximum sign face area per side: eight (8) square feet; and
  - e. style - monument style only. (BLDG PERMIT: BLDG - Zoning)

#### SITE DESIGN-SHERIFF SUBSTATION

1. If a substation is warranted by the Sheriff's office, the site plan shall be revised to indicate the location. (ONGOING: ZONING - Zoning)

#### USE LIMITATIONS

1. The Type III Congregate Living Facility shall be limited to a maximum of 165 residents. (ONGOING: ZONING - Zoning)

#### COMPLIANCE

1. In granting this approval, the Board of County Commissioners relied upon the oral and written representations of the property owner/applicant both on the record and as part of the application process. Deviations from or violation of these representations shall cause the approval to be presented to the Board of County Commissioners for review under the compliance condition of this approval. (ONGOING: MONITORING - Zoning)

2. Failure to comply with any of the conditions of approval for the subject property at any time may result in:

- a. The issuance of a stop work order; the issuance of a cease and desist order; the denial or revocation of a building permit; the denial or revocation of a Certificate of Occupancy (CO); the denial of any other permit, license or approval to any developer, owner, lessee, or user of the subject property; the revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; revocation of any concurrency; and/or
- b. The revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or
- c. A requirement of the development to conform with the standards of the Unified Land Development Code (ULDC) at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing conditions; and/or
- d. Referral to code enforcement; and/or
- e. Imposition of entitlement density or intensity.

Staff may be directed by the Executive Director of PZ&B or the Code Enforcement Special Master to schedule a Status Report before the body which approved the Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 2.E of the ULDC, in response to any flagrant violation and/or continued violation of any condition of approval. (ONGOING: MONITORING - Zoning)